TOWN OF SARATOGA TOWN BOARD

RESOLUTION #24-44 DATE: 04/08/2024

ADOPTION OF LOCAL LAW #2 of 2024 – AMENDING THE TOWN OF SARATOGA'S ZONING ORDINANCE

Offered by Councilmember Michael McLoughlin Seconded by Councilmember Gary Squires

At the regular meeting of the Town Board of the Town of Saratoga, County of Saratoga, State of New York, held on, the following resolution was made as indicated above,

WHEREAS, there is a need to amend the Town's Zoning Ordinance with the addition of updated fees, adding restaurant as an allowable use to conservancy district, adding roadside stands as a By Right use to Rural District 2, and language to Water Regulations, and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople; now, therefore, be it

RESOLVED, by the Town Board of the Town of Saratoga, to adopt Local Law 2 of 2024.

Supervisor Ian Murray – aye Councilman Michael McLoughlin – aye Councilwoman Ruth Drumm - aye Councilman Gary Squires – aye Councilwoman Maxine Lautenberg - nay

Carried 4-1

Proposed Local Law #2, 2024: Town of Saratoga Zoning Regulations Amendments/Updates

- 400-63. Fees Revised and updated fees for Building Permits, ZBA Applications and Planning fees. Fees have not been updated since 2016. (See attached proposed fee schedule)
- 2. 400-39. Conservancy District Add Restaurant as an allowable use requiring a special use permit to the Conservancy District. Restaurant definition in Section 400, Attachment 1.
- 3. 400-36. Rural District 2 Add Roadside Stand as a By Right Use to the Rural District 2. Roadside Stand definition is in Section 400, Attachment 1.

400-15. Water Regulations – Section 400-15. B (3) (9) of the current Town Zoning Code does not allow the well casing to be calculated as part of storage. The Town wants this sentence removed and further state that the Town will follow NYS DOH Part 5, Subpart 5-1 Standards for water wells when referencing well casing storage.

Conservancy					Minimum Yard Dimension of Principal Building			
Permitted								Maximum
Use		Minimum			Total			Lot
Requiring	Minimum	Lot	Minimum		Two	One		Coverage
Special	Lot	Width	Frontage	Front	Sides	Side	Rear	Of
Permit		(feet)	(feet)	(feet)	(feet)	(feet)	(feet)	Building
Restaurant	2 acres	200	200	75	150	50	75	10%

Rural District 2				Parame	*		
Permitted							····
Use Road Side						-	
Stands		25					
By Right			<u></u>				

INSTRUCTIONS FOR A BUILDING PERMIT

- A. Fill out an application for a Building Permit.
- B. Have two copies of a plot plan, showing dimensions of the lot, the actual size and the location on the lot of the building to be erected, the location of the septic tank and drain field and the location of the well.
- C. One set of plans showing footing and foundations, walls, joists, windows, doors, etc. Must be submitted in a form adequate to ensure compliance with the State Building Construction Code. Plans must bear the stamp of a New York State Architect or Engineer when the floor plan is over 1,500 square feet, or if the construction exceeds \$10,000.00.
- D. A perc test to be taken before a permit is issued.
- E. If the construction is in the flood plain area, a special Building Permit must be issued by the Building Inspector before a Town Building Permit can be issued.
- F. A special water well report must be filled out and returned to the Building Inspector shortly after the well is drilled.
- G. A Certificate of Insurance must be supplied by the contractor before the permit is issued.

H. Fees:	Floor plans up to 2,000 square feet (residential) base fee additional fee of \$.20 per square foot over 2,000 sq. ft.	\$	400.00 + \$.20
	Each 100 square feet over 2,000 square feet	\$	20.00
	Buildings for agricultural pursuits	\$	100.00
	Additions & Accessory Use building permit base fee additional fee of \$.20 per square foot	\$	100.00 + \$.20
	Swimming Pools	\$	100.00
	Improvements that don't have quantifiable floor areas, including decks & septic systems	\$	100.00
	Telecommunication Tower	\$2	2,000.00
	Flood Plain	\$	100.00
	Commercial Buildings base fee additional fee of \$.25 per square foot	\$	250.00 + \$.25
	Demolition	\$	50.00
	Signs	\$	50.00
	Timber Harvest	\$	50.00
	Mobile Home - per foot	\$.20
	Certificate of Occupancy inspection	\$	75.00

All Permits valid for 1 year with the exception of swimming pools.

Swimming Pool permits are valid for 6 months.

Inspections

Footing forms before pouring, foundations before back fill, framing and plumbing together, insulations. Final inspection when all major systems are completed. The electrical system must have a complete inspection by a certified electrician and a certificate to the Building Inspector. Septic system – all boxes and pipe lines must be inspected before covered.

By Right

(Use this form to file a local law with the Secretary of State.)

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To	wn of		Saratog	a				
Loc	Local Law No of the year 2024							
Al	ocal law <u>ar</u>	mending the	e zoning ord	dinance	of the Town	of Saratoga	<u>.</u>	
Be	Be it enacted by the Town Board					of	the	
		·	(Name	of Legisla	tive Body)			tiic
	Town of follows:	f		Saratog	a			ıs
The Z			Town of S	aratoga	is hereby ame	ended in the	e followin	a respects:
	0				is never time	naca m m	o iono wii	ig respects.
Fees	-63. Fees – Fees have not been attached pro	en updated s	ince 2016.	for Bui	lding Permits, Z	ZBA Applica	ations and	Planning fees
2. 400- the 0	39. Conserv	ancy Distric District. Re	t – Add Rest staurant defi	aurant a nition in	s an allowable i Section 400, A	use requiring	g a special	use permit to
3. 400	-36. Rural D	District 2 – A	dd Roadside	Stand a	s a By Right Us	se to the Ru	al District	2
Road	dside Stand d	lefinition is i	n Section 40	0, Attac	hment 1.			
400-15. Wat	ter Regulatio	ns – Section	400-15. B (3	3) (9) of	the current Toy	wn Zoning (Code does	not allow the
the Town wi	ll follow NY	S DOH Part	5. Subpart 5	e Town	wants this senter that ards for water to	ence remove wells when	ed and furt	her state that
storage.			-, o wopane o	, oun	and for water	WOIIS WILCH	referencing	s well casing
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Permitted					8	<u> </u>	· · · · · · · · · · · · · · · · · · ·	Maximum
Use		Minimum		İ	Total			Lot
Requiring	Minimum	Lot	Minimum		Two	One		Coverage
Special	Lot	Width	Frontage	Front	Sides	Side	Rear	Of
Permit		(feet)	(feet)	(feet)	(feet)	(feet)	(feet)	Building
Restaurant	2 acres	200	200	75	150	50	75	10%
Rural Distri	ct 2				·	1071		
Permitted		<u> </u>		· i]		
Use	[İ				1		
Road Side	1							
Stands								

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(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

 (Final adoption by local legislative body only.) I hereby certify that the local law annexed hereto, des 	ignated as local law No	2	of 2024 of
d do			
Town Board	on April 8.	2024 in acc	was duly passed by the cordance with the applicable
(Name of Legislative Body)		_ 20 <u></u> , iii acc	cordance with the applicable
provisions of law.			
(Passage by local legislative body with approve Chief Executive Officer*.) I hereby certify that the local law annexed hereto, desithe (County)(City)(Town)(Village) of	ignated as local law No. on utive Officer*)	_ 20, and v	of 20 of
3. (Final adoption by referendum.) I hereby certify that the local law annexed hereto, desi	gnated as local law No		of 20 of
the (County)(City)(Town)(Village) of			was duly passed by the
(Name of Legislative Body)	on	20, and wa	as (approved)(not approved)
(repassed after disapproval) by the (Elective Chief Executive)	utive Officer*)	on	20
Such local law was submitted to the people by reason of vote of a majority of the qualified electors voting thereor	of a (mandatory)(permissing at the (general)(special)	ve) referendum, a (annual) election	nd received the affirmative held on
20, in accordance with the applicable provisions			
4. (Subject to permissive referendum and final add I hereby certify that the local law annexed hereto, design the (County)(City)(Town)(Village) of (Name of Legislative Body) (repassed after disapproval) by the (Elective Chief Execute law was subject to permissive referendum and no valid permissive referendum.)	nated as local law No on 2	0, and was	of 20 of was duly passed by the s (approved)(not approved) 20 Such local
20, in accordance with the applicable provisions			

^{*} Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

I hereby certify that the local law annexed hereto, de the City of having been s the Municipal Home Rule Law, and having received thereon at the (special)(general) election held on	signated as local law No submitted to referendum pursuant to the p the affirmative vote of a majority of the qu	provisions of section (36)(37) of palified electors of such city voting
6. (County local law concerning adoption of Chall hereby certify that the local law annexed hereto, detended the County of	signated as local law No York, having been submitted to the elect livisions 5 and 7 of section 33 of the Munified electors of the cities of said county a	ors at the General Election of icipal Home Rule Law, and having s a unit and a majority of the
(If any other authorized form of final adoption has I further certify that I have compared the preceding lo correct transcript therefrom and of the whole of such paragraph above.	cal law with the original on file in this offic original local law, and was finally adopted to the county legislative boo officer designated by local legisla	ce and that the same is a d in the manner indicated in COMOUL dy, City, Town or Village Clerk or tive body
Seal)	Date: April 12	2, 2024

STATE OF NEW YORK **DEPARTMENT OF STATE**

ONE COMMERCE PAZA 99 WASHINGTON AVENUE ALBANY, NY 12231-0001 HTTPS://DOS.NY,GOV KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

April 25, 2024

Town of Saratoga 12 Spring Street Schuylerville, New York 12871

RE: Town of Saratoga, Local Law 1 2024, filed on 4/17/2024

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely, State Records and Law Bureau (518) 473-2492

5.924 SN State records both law# 1 and # 2 Were filed by the state on 4-17-24. She apologyed for the Leller not having # 2 on it.

